

OGC Has Reviewed

Block v. Sassaman et al., 26 F.Supp. 105 (D.C., D. Minn. 1939)

Plaintiff was a former employee of WPA who sued some administrative personnel of WPA, charging that they maliciously and falsely made an employment record of the plaintiff setting forth that she was quarrelsome and mentally incompetent, by reason of which plaintiff was made ~~ineligible~~ for work on WPA projects. It was specifically alleged that the acts complained of were performed in the course of defendants' official duties.

"Public policy requires that officers and agents of the government, in connection with matters arising from the performance of their official duties, shall not be held responsive to suits or claims arising from their actions. An officer of the government should be permitted freedom of activity when engaged in the discharge of his official duties, so that in the end the government will receive an administration of his office which will be untrammelled by fear of suit, in a court of law, for damages. The interests of the public require that due protection be given to officers in respect to their official duties and acts. The very matter under consideration -- the development of the employment record of the plaintiff -- comprehends the exercise of the judgment and discretion of these defendants, who were in charge of the employment records of all employees. Officers in the status of these defendants should not be under any apprehension that the motives which control their actions may at some time subject them to a suit for damages. Such apprehension would seriously interfere with a ~~fix~~ fearless and effective administration of the office. . . .

"False and malicious statements made under the guise of official duty are condemned, but on the other hand, public policy and the public good require that official duties be performed without restraint, and that the motives underlying the performance of such official duties in matters of the kind under consideration should not be inquired into in a proceeding in a court of law. . . ." (At pages 106 and 107).

The Court dismissed the plaintiff's complaint. >